

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

IN RE:) BANKRUPTCY CASE
) NO. 19-42743-BEM
BRIAN ADAM HOOKER,) JUDGE BARBARA ELLIS-MONRO
MEGAN LASHAE HOOKER,) CHAPTER 13
)
Debtors.)
)
)

OBJECTION TO CONFIRMATION

COMES NOW CVI SGP ACQUISITION TRUST C/O RESURGENT CAPITAL SERVICES, LP (hereinafter referred to as "RCS"), a creditor of the above-named Debtors and files this its "Objection to Confirmation", of the Debtors' Plan of Reorganization, showing to this Court as follows:

1.

RCS is a secured creditor of the Debtors, holding a duly perfected security interest in a certain jewelry, including an engagement ring, wedding band, earrings and a necklace.

2.

The debt owed to RCS is \$6,046.29 (net balance).

3.

Based on the valuation, RCS shows that its claim should be secured to the extent of \$6,046.29 plus interest thereon at 7.0%. RCS requests its post confirmation plan payment commence immediately upon confirmation to be paid concurrent with the debtors' attorney fees. Furthermore, RCS request pre and post

confirmation adequate protection payments in the amount of \$75.00 per month.

4.

Movant does not have and has not been offered adequate protection by Respondents. 11 U.S.C. 1326 (a)(1)(C) requires the Debtor to provide adequate protection directly to a creditor holding an allowed secured claim. The Debtors' plan fails to comply with 1326 (a)(1)(C) and as such RCS request that confirmation be denied.

5.

The Plan, as proposed, does not provide to RCS the present value of its claim and violates 11 U.S.C. Section 1325.

WHEREFORE, RCS prays that confirmation be denied.

LEVINE & BLOCK, LLC

BY: /s/ Ronald A. Levine
Ronald A. Levine, Esq.
[GA Bar No. 448736]
ATTORNEYS FOR MOVANT

P.O. Box 422148
Atlanta, Georgia 30342
(404) 231-4567

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CERTIFICATE OF SERVICE

This is to certify that I have this date served a copy of the within and foregoing "Objection to Confirmation" via electronic means as listed on the Court's ECF noticing system or by regular first class mail by depositing same in the United States mail in a properly addressed envelope with adequate postage thereon to insure delivery upon the following:

Brian Adam Hooker
Megan LaShae Hooker
1021 Delaware Drive
Dalton, Georgia 30721-3638

Dan Saeger, Esq.
Saeger & Associates, LLC
Suite D
706 S Thornton Ave
Dalton, GA 30720

Mary Ida Townson, Esq.
Chapter 13 Trustee
Suite 1600
285 Peachtree Center Ave, NE
Atlanta, GA 30303

This 13th day of January 2020.

LEVINE & BLOCK, LLC

BY: /s/ Ronald A. Levine
Ronald A. Levine, Esq.
[GA Bar No. 448736]
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